

MESSAGE NO: 3228111 MESSAGE DATE: 08/16/1993

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: PRE-Preliminary PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-351-820

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 08/16/1993 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: PRELIMINARY DETERMINATION OF SALES AT LESS THAN FAIR VALUE
FERROSILICON FROM BRAZIL

MESSAGE NO: 3228111

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CASES: A - 351 - 820

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PERIOD COVERED: 08 16 1993 TO

LIQ SUSPENSION DATE:

TO: REGIONAL DIRECTORS, COMMERCIAL OPERATIONS
DISTRICT DIRECTORS, AREA AND PORT DIRECTORS

FROM: DIRECTOR, IMPORT SPECIALIST DIVISION

RE: PRELIMINARY DETERMINATION OF SALES AT LESS THAN FAIR VALUE
FERROSILICON FROM BRAZIL

1. THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER ON AUGUST 16, 1993, THE NOTICE OF THE PRELIMINARY DETERMINATION OF SALES AT LESS THAN FAIR VALUE IN THE ANTIDUMPING DUTY INVESTIGATION OF FERROSILICON FROM BRAZIL.

2. THE PRODUCT COVERED BY THIS INVESTIGATION IS FERROSILICON, A FERROALLOY GENERALLY CONTAINING, BY WEIGHT, NOT LESS THAN FOUR PERCENT IRON, MORE THAN EIGHT PERCENT BUT NOT MORE THAN 96 PERCENT SILICON, NOT MORE THAN 10 PERCENT CHROMIUM, NOT MORE THAN

30 PERCENT MANGANESE, NOT MORE THAN THREE PERCENT PHOSPHOROUS, LESS THAN 2.75 PERCENT MAGNESIUM, AND NOT MORE THAN 10 PERCENT CALCIUM OR ANY OTHER ELEMENT.

FERROSILICON IS A FERROALLOY PRODUCED BY COMBINING SILICON AND IRON THROUGH SMELTING IN A SUBMERGED-ARC FURNACE. FERROSILICON IS USED PRIMARILY AS AN ALLOYING AGENT IN THE PRODUCTION OF STEEL AND CAST IRON. IT IS ALSO USED IN THE STEEL INDUSTRY AS A DEOXIDIZER AND A REDUCING AGENT, AND BY CAST IRON PRODUCERS AS AN INOCULANT.

FERROSILICON IS DIFFERENTIATED BY SIZE AND BY GRADE. THE SIZE EXPRESS THE MAXIMUM AND MINIMUM DIMENSIONS OF THE LUMPS OF FERROSILICON FOUND IN A GIVEN SHIPMENT. FERROSILICON GRADES ARE DEFINED BY THE PERCENTAGES BY WEIGHT OF CONTAINED SILICON AND OTHER MINOR ELEMENTS. FERROSILICON IS MOST COMMONLY SOLD TO THE IRON AND STEEL INDUSTRIES IN STANDARD GRADES OF 75 PERCENT AND 50 PERCENT FERROSILICON.

CALCIUM SILICON, FERROCALCIUM SILICON, AND MAGNESIUM FERROSILICON ARE SPECIFICALLY EXCLUDED FROM THE SCOPE OF THESE INVESTIGATIONS. CALCIUM SILICON IS AN ALLOY CONTAINING, BY WEIGHT, NOT MORE THAN FIVE PERCENT IRON, 60 TO 65 PERCENT SILICON AND 28 TO 32 PERCENT CALCIUM. FERROCALCIUM SILICON IS A FERROALLOY CONTAINING, BY WEIGHT, NOT LESS THAN FOUR PERCENT IRON, 60 TO 65 PERCENT SILICON, AND MORE THAN 10 PERCENT CALCIUM. MAGNESIUM FERROSILICON IS A FERROALLOY CONTAINING, BY WEIGHT, NOT LESS THAN FOUR PERCENT IRON, NOT MORE THAN 55 PERCENT SILICON, AND NOT LESS THAN 2.75PERCENT MAGNESIUM.

WE ARE INVESTIGATING WHETHER SALES OF SLAG SHOULD BE EXCLUDED FROM OUR FAIR VALUE COMPARISONS. SLAG IS A BY-PRODUCT OF FERROSILICON PRODUCTION AND CONTAINS IMPURITIES WHICH PRECLUDE IT FROM BEING SOLD AS FERROSILICON. WE WILL EXAMINE THIS ISSUE FURTHER AT VERIFICATION AND WILL MAKE A DETERMINATION WITH REGARD TO SLAG IN THE FINAL DETERMINATION.

FERROSILICON IS CURRENTLY CLASSIFIABLE UNDER THE FOLLOWING

SUBHEADINGS OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS): 7202.21.1000, 7202.21.5000, 7202.21.7500, 7202.21.9000, 7202.29.0010, AND 7202.29.0050. THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES.

OUR WRITTEN DESCRIPTION OF THE SCOPE OF THIS INVESTIGATION IS DISPOSITIVE.

4. THE DEPARTMENT HAS PRELIMINARILY DETERMINED THAT EXPORTS OF FERROSILICON FROM BRAZIL ARE BEING SOLD IN THE UNITED STATES AT LESS THAN FAIR VALUE AND THAT CRITICAL CIRCUMSTANCES EXISTS. THEREFORE, FOR ALL EXPORTS OF FERROSILICON FROM BRAZIL, THE CUSTOMS SERVICE SHALL SUSPEND LIQUIDATION OF SUCH MERCHANDISE THAT IS ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION ON OR

AFTER MAY 19, 1993, THE DATE WHICH IS 90 DAYS PRIOR TO DATE OF PUBLICATION OF THE AFFIRMATIVE PRELIMINARY DETERMINATION IN THE FEDERAL REGISTER AND SHALL REQUIRE A CASH DEPOSIT OR POSTING OF A BOND EQUAL TO THE APPROPRIATE ESTIMATED FINAL MARGIN PERCENTAGE LISTED BELOW.

MANUFACTURER/PRODUCER EXPORTER	ID NO. MARGIN PERCENTAGE	WEIGHTED-AVERAGE
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ALL MANUFACTURERS

PRODUCERS EXPORTER	A-351-820-000	28.22%
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4. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, THEY SHOULD BE REFERRED TO THE IMPORT SPECIALIST DIVISION, OTHER AGENCY BRANCH, CUSTOMS HEADQUARTERS VIA E-MAIL ATTRIBUTE "HQ OAB". THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT JAMES TERPSTRA OF THE OFFICE OF ANTIDUMPING INVESTIGATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, TELEPHONE (202) 482-3965.

THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

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Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party